

**IN THE UNITED STATES RECEIVING OFFICE  
OF THE PATENT COOPERATION TREATY**

Application No. : 10/563,550 Confirmation No.:

Applicant: : Wildenberg et al.

International Filing Date: July 2, 2004

Group Art Unit : Not yet assigned

Examiner: : Not yet assigned

Docket No. : 007193-17 US

Customer No. : 36,234

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence, along with any other document mentioned as being enclosed, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Express Mail Label No. EQ287727174US.

5 July 2006  
Date

  
Marilyn J. Morris

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 USC 371 AND  
REQUEST FOR CHANGE TO SMALL ENTITY STATUS**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
ATTN: EO/US

Dear Sir:

In response to the Notice to File Missing Requirements mailed October 31, 2005, included herewith are:

1. Copy of Formalities Letter (Notification of Missing Requirements Under 35 U.S.C. 371);
2. Executed Inventors' Declaration;
3. Executed Assignment;
4. Executed Statement Under 37 CFR 3.73(b) (executed by the Assignee);
5. Power of Attorney executed by the Assignee;
6. Copy of the International Preliminary Report on Patentability with appended Claim Amendments from the PCT application;

7. Executed Verified Statement Claiming Small Entity Status;
8. Petition for One-month Extension of Time to file the Declaration;
9. Credit Card Payment Form authorizing payment of \$135, the (\$65) Surcharge for late filing of the Declaration and a One-month extension of time (\$60).

Applicants request that the Preliminary Amendment previously filed during national phase entry be entered into the record, since the claims as amended in the PCT application are now provided. A telephone call with Examiner Winston M. Alvarado on April 18, 2006 confirmed that this submission would provide the necessary information to enter the Preliminary Amendment.

At the time of filing, it was not known whether or not the Applicant(s) were entitled to small entity status. We now have confirmation that the Assignee is entitled to small entity status. See attached verified statement claiming small entity status executed by the Assignee. We respectfully request that status be changed to small instead of large entity for this application.

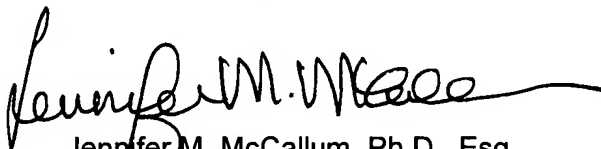
Though not mentioned in the Notice regarding Missing Requirements, it is believed that a \$65 surcharge for late filing of the declaration is due. A credit card payment form authorizing a charge for this fee and a one-month extension of time (\$60) in the amount of \$135 is enclosed. However, if further fees are required, please charge such fee or credit any overpayment to Deposit Account No. 502679.

07/11/2006 GFREY1 00000132 10563550

02 FC:2617  
03 FC:1206

65.00 OP  
10.00 OP

Respectfully submitted,



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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/563,550	Andrew Patrick Wildenberg	007193-17 US

INTERNATIONAL APPLICATION NO.
PCT/AU04/00894

I.A. FILING DATE	PRIORITY DATE
07/02/2004	07/04/2003

36234  
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CONFIRMATION NO. 8627

371 FORMALITIES LETTER



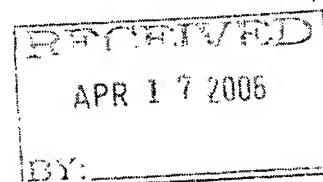
\*OC000000018507815\*

Date Mailed: 04/12/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/04/2006
- Copy of the International Search Report filed on 01/04/2006
- Preliminary Amendments filed on 01/04/2006
- Request for Immediate Examination filed on 01/04/2006
- U.S. Basic National Fees filed on 01/04/2006
- Priority Documents filed on 01/04/2006
- Specification filed on 01/04/2006
- Claims filed on 01/04/2006
- Abstracts filed on 01/04/2006
- Drawings filed on 01/04/2006



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

Additionally the following defects have been observed:

- Preliminary Amendments have not been entered because the claims in the specification you submitted doesn't correspond with the claims in the published application. The published application has 23 claims and the specification you submitted has 15. I do not have a copy of an IPER for this application. If you have an IPER, please send me a copy. I have processed the application according to the published application pending further instructions..

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/563,550	PCT/AU04/00894	007193-17 US

FORM PCT/DO/EO/905 (371 Formalities Notice)